

209163

**GALLAND, KHARASCH, GREENBERG, FELLMAN & SWIRSKY, P.C.**  
ATTORNEYS AT LAW

CANAL SQUARE 1054 THIRTY-FIRST STREET, NW WASHINGTON, DC 20007-4492  
TELEPHONE: 202/342-5200 FACSIMILE: 202/342-5219

RICHARD BAR  
STEVEN JOHN FELLMAN ☐  
EDWARD D. GREENBERG  
WILLIAM F. KREBS ☐  
DAVID K. MONROE ☐  
REX E. REESE

KEVIN I. BABITZ \*☐  
MICHAEL P. COYLE  
KATHARINE V. FOSTER ☐

TROY A. ROLF ☐  
STUART M. SCHABES  
DAVID P. STREET ☐  
KEITH G. SWIRSKY ☐

ROBERT N. KHARASCH ☐  
JOHN CRAIG WELLS ☐

\* NOT ADMITTED IN DC ☐ NOT ADMITTED IN MD ☐ OF COUNSEL



OTHER OFFICES LOCATED IN:  
MARYLAND AND MINNESOTA

GEORGE F. GALLAND (1910-1985)

WRITER'S DIRECT E-MAIL ADDRESS  
[EGREENBERG@GKGLAW.COM](mailto:EGREENBERG@GKGLAW.COM)

WRITER'S DIRECT DIAL NUMBER  
202- 342-5277

October 20, 2003

**Via Hand Delivery**

The Honorable Vernon A. Williams, Secretary  
Office the Secretary  
Surface Transportation Board  
1925 K Street, N.W., Room 700  
Washington, D.C. 20423-0001

**ENTERED**  
Office of Proceedings

OCT 2 2003

Part of  
Public Record

**Re: FD 34392**  
**New Jersey Rail Carrier, LLC - - Acquisition and Operation Exemption - -**  
**Former Columbia Terminals, Kearny, NJ**

Dear Secretary Williams:

By its decision in this docket served September 11, 2003, the Board previously granted the request of New Jersey Rail Carrier, LLC (NJRC) for a 30-day extension of the deadline for filing additional information in this matter. Under the terms of that decision, NJRC was to file the additional information sought by the Board by October 14, 2003, with any replies being due on November 3, 2003.

One of the reasons NJRC cited in support of its request for the extension was to allow time for NJRC and the New Jersey Department of Environmental Protection (NJDEP) to enter into discussions concerning this matter. Although those discussions have commenced, NJDEP believes it would be helpful if it had an additional extension of time to reply to NJRC's recent submission, as this will accord the parties sufficient time hopefully to resolve outstanding issues.

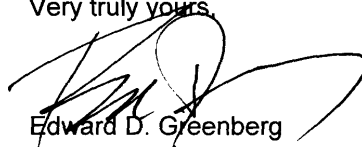
GALLAND, KHARASCH, GREENBERG, FELLMAN & SWIRSKY, P.C.  
The Honorable Vernon A. Williams, Secretary  
Surface Transportation Board  
Page 2

Accordingly, NJDEP requests that the Board extend the time for filing replies to the NJRC Statement to December 3, 2003. NJDEP is authorized to state that NJRC has no objection to this request.

I have enclosed ten (10) copies of this letter to permit your circulation of the document. In addition, an additional copy is enclosed for providing a date-stamped copy to be returned to us. As reflected below, a copy of this letter is being transmitted by facsimile to each of the parties of record in this proceeding.

If you have any question concerning this, please do not hesitate to contact me.

Very truly yours,



Edward D. Greenberg

EDG  
Encl

cc: Hon. David M. Konschnik (by hand delivery)  
Fritz R. Kahn, Esq. (by facsimile)  
Jonathan M. Broader, Esq. (by facsimile)  
John V. Edwards, Esq. (by facsimile)



*An International Association of Independent Law Firms in Major World Centers*